
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Blakespear, Chair

2025 - 2026 Regular

Bill No: AB 1976

Author: Wicks

Version: 5/21/2026

Hearing Date: 7/1/2026

Urgency: No

Fiscal: Yes

Consultant: Brynn Cook

SUBJECT: Streets and highways: pedestrian and bicycle facilities

DIGEST: Exempts the development of pedestrian malls from the California Environmental Quality Act (CEQA) and limits cities' and counties' ability to deny or delay pedestrian and bicycle safety improvements, among other provisions.

ANALYSIS:

Existing law:

- 1) Under the California Environmental Quality Act (CEQA), a lead agency determines whether a project is exempt from CEQA, or if it must do an initial study to determine if a project will have significant effects on the environment. If a project has no effect on the environment or effects that can be mitigated, the lead agency prepares a negative declaration (ND) or mitigated ND (MND). If the project will have significant impacts, the lead agency prepares an environmental impact report (EIR) to evaluate and propose mitigation measures for any effects on the environment, including impacts or likely impacts to land, air, water, minerals, flora, fauna, ambient noise, and historic or aesthetic significance. (Public Resources Code (PRC) §§21000 et seq.)
- 2) Establishes a CEQA exemption for active transportation plans, pedestrian plans, or bicycle transportation plans for the restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and the related signage for bicycles, pedestrians, and vehicles. (PRC § 21080.20)
- 3) Establishes a CEQA exemption until January 1, 2040, for certain transportation-related projects, including pedestrian and bicycle facilities, transit prioritization projects, public projects for the institution or increase of bus rapid transit, bus, or light rail service, including the construction or rehabilitation of stations, terminals, or existing operations facilities, and public projects for the construction or maintenance of infrastructure of facilities to

charge, refuel, or maintain zero-emission public transit buses, trains, or ferries, as provided. CEQA requires, except as provided, those exempted projects to be carried out by a local agency and meet certain requirements, including certain labor requirements (PRC § 21080.25).

- a) Requires that these exemptions, not including a project to reduce minimum parking requirements, meet the following criteria:
 - i) Be carried out by a public agency and the public agency is the lead agency.
 - ii) Be located in an urbanized area.
 - iii) Be located on or within an existing public right-of-way.
 - iv) Does not add physical infrastructure that increases new automobile capacity on existing rights-of-way, except as provided.
 - v) Does not require demolition of affordable housing units.
 - vi) Has a certification from the lead agency that the project will be completed by a skilled and trained workforce, except as provided.
 - b) Requires that projects using this exemption and that exceed \$100 million also meet the following criteria (PRC § 21080.25):
 - i) Be incorporated in a regional transportation plan, sustainable communities' strategy, general plan, or other plan that has undergone a programmatic-level environmental review within 10 years of the approval of the project.
 - ii) Fully mitigate construction impacts consistent with applicable law.
 - iii) Require the lead agency to complete and consider results of a racial equity analysis, as specified.
 - iv) Require lead agency to hold noticed public hearings, as prescribed.
 - c) Requires that projects using this exemption and that exceed \$50 million also meet prescribed public notice and hearing requirements (PRC § 21080.25).
- 4) Defines Pedestrian Mall as “one or more “city streets,” or portions thereof, on which vehicular traffic is or is to be restricted in whole or in part and which is or is to be used exclusively or primarily for pedestrian travel (SHC **11006**)

This bill:

- 1) Establishes a CEQA exemption for pedestrian malls, meeting the criteria, including location criteria, labor standards, and public transparency requirements established in PRC § 21080.25
- 2) Prohibits a city or county from holding a community input meeting to reconsider, delay, or prevent implementation of a proposed pedestrian or bicycle safety project if that project is included in an approved plan that will be

implemented as part of the circulation element of the city or county's general plan, after that project has passed 90% design, as specified.

- 3) Prohibits, at a public meeting when a contract is awarded or when county or city staff are directed to begin the construction of a pedestrian or bicycle safety project, or anytime thereafter, the bill would prohibit the city or county from terminating the project unless the city or county makes at least one specified finding at a public meeting.
- 4) Prohibits a city or county from requiring a petition to request the installation of a traffic-calming measure to contain the signatures of more than a majority of the total number of persons whose residences are located within 1,000 feet of the proposed traffic-calming measure, as specified.

Background

- 1) *Pedestrian Mall Law of 1960*. A pedestrian mall is a designated street or downtown commercial district that is closed to cars and reserved exclusively for pedestrians. The Pedestrian Mall Law of 1960 (California Streets and Highways Code §§ 11000–11806) provides California cities and counties with a statutory process for closing streets to vehicle traffic and converting them into pedestrian-only malls. The process begins when the city or county adopts a Resolution of Intention under §11200, which provides formal notice of the city's intent and sets a public hearing date. The city or county must follow detailed notice requirements, including posting notices no more than 300 feet apart along affected and intersecting streets, mailing notice to impacted property owners at least 45 days before the hearing. If, after the hearing, the legislative body decides to establish the mall and any written damage claims from affected property owners remain unresolved, the law requires those claims to be litigated in superior court through a proceeding treated as akin to eminent domain. The law allows the legislative body to fund the project with general fund money, or by establishing an assessment. A number of cities have established pedestrian malls using the 1960 PML, including the cities of Stockton and Riverside as just two examples.
- 1) *The A, B, C's of CEQA*. CEQA is designed to (a) make government agencies and the public aware of the environmental impacts of a proposed project, (b) ensure the public can take part in the review process, and (c) identify and implement measures to mitigate or eliminate any negative impact the project may have on the environment. CEQA is enforced by civil lawsuits that can challenge any project's environmental review.

Under CEQA, projects (unless they have a specific exemption) must undergo environmental analysis. This process starts with an initial study which determines what level of further environmental review is needed for a given project. If a project has no significant effects on the environment, or if those effects can be fully mitigated, the project can move forward with a negative declaration (ND) or mitigated negative declaration (MND). If the initial study finds that the project has potential significant effects on the environment, then a full EIR is conducted. An EIR provides thorough environmental review of a proposed project, analyzing the significant direct and indirect environmental impacts of a proposed project. The EIR also includes proposed mitigation measures for any significant effects that it identifies and considers alternatives to the proposed project.

- 2) *CEQA exemptions.* A project is exempt from CEQA if it is ministerial (i.e., it does not involve discretionary decisions), or if there is a specific statutory or categorical exemption that applies to the project. Statutory exemptions are created by the Legislature and typically apply even if a project has the potential to significantly affect the environment. In contrast, categorical exemptions, which are listed in the CEQA guidelines, generally do not apply if there are significant environmental impacts associated with the project, including if (1) there is a reasonable possibility of a significant effect on the environment due to unusual circumstances; (2) significant cumulative impacts from projects of the same type will result; or (3) the project will have impacts on a uniquely sensitive environment.
- 3) *Active and Clean Transportation Exemptions in CEQA.* Three Senate bills (SB 288, Wiener Chapter 200, Statutes of 202, and SB 922 Wiener, Chapter 987, Statutes of 2022; SB 71 Wiener, Chapter Statutes of 2025) have expanded and created a large number of CEQA exemptions for clean and active transportation projects. Under the provision of these three bills, the following transportation projects are exempt from CEQA until January 1, 2040.
 - Pedestrian and bicycle facilities, including new facilities.
 - Projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians.
 - Transit prioritization projects.
 - Projects for the designation and conversion of general purpose lanes or highway shoulders to bus-only lanes.
 - A public project for the institution or increase of new bus rapid transit (BRT), bus, or light rail service, including the construction of stations, as specified.

- A public project to construct or increase passenger rail service used for zero-emission trains.
- A public project to construct or maintain infrastructure to charge or refuel zero-emission transit buses, trains, or ferries, as specified.
- The maintenance, repair, relocation, replacement, or removal of any utility infrastructure associated with one of these projects.
- A project carried out by a city or county to reduce minimum parking requirements.

Comments

- 1) *Purpose of Bill.* According to the author, “While many of California’s transportation laws are well-intentioned, there are a number of laws and regulations that have become overly burdensome when implementing much-needed bicycle and pedestrian-related safety measures and projects. Bicycle and pedestrian-related transportation projects have run into outdated regulations that discourage action, raise costs, and lead to delays. AB 1976 would update existing laws and regulations in order to provide more streamlined processes for projects that provide additional safety measures and accessibility for local communities to walk and live safely.”
- 2) *How significant of a project is a pedestrian mall?* A search of CEQAnet, the state’s database of CEQA documents, for the terms “pedestrian mall” “pedestrian zone” and “pedestrian plaza” returned approximately two dozen examples of projects across the state. The scale of these projects varied greatly, and as a result, the environmental review documents under CEQA ranged from exemptions to full EIRs. Below are four examples:
 - a) *Notice of exemption.* California State University Board of Trustees. Via Carta Pedestrian Paver. The project consists of a pedestrian mall over a section of (existing) Via Carta Road. With an exemption, no initial study to look at the characteristics of the site and no environmental review are required.
 - b) *Negative Declaration.* City of Escondido. Maple Street Pedestrian Plaza Project. The project will reconstruct Maple Street as a pedestrian plaza while maintaining a one-way travel lane with vehicular access from W. Grand Avenue north to West Valley Parkway and signalize the intersection of Maple Street and West Valley Parkway. Under a negative declaration, the project undergoes an initial study, but no environmental impacts are significant and need to be mitigated.
 - c) *Mitigated Negative Declaration.* Alviso and Franklin Streets Partial Vacation Project. The project proposes to convert (2) roadway segments to a landscaped pedestrian mall to link the main university campus to existing

university operations on the north side of campus, the project would remove the existing roadway bed and install grass and pavers between the existing sidewalks.

- d) *Environmental Impact Report*. City of Santa Barbara De La Guerra Plaza Revitalization Project. The Project would include improvements to the existing De La Guerra Plaza making it a primarily pedestrian Plaza which would function as a civic center and serve the community's arts and cultural events throughout the year. The project would involve raising the road around the grass area of the Plaza, as well as raising De La Guerra Street between Anacapa Street and State Street, to be level with the existing sidewalk from building to building. Proposed improvements include new landscaping, new surface materials throughout, an interactive water feature, restrooms, a new multi-use building/pavilion, multiple public art locations, new lighting, new water mains and improvements to existing utility connections, a vehicular parking lot and consolidated underground trash/ recycling. Amenities for the revitalized Plaza would include bike racks located throughout the Plaza, free Wi-Fi, public restrooms, and trash/recycling receptacles" Under an EIR, the project will have its environmental impacts analyzed and significant impacts will have to be mitigated. An EIR involves a public comment process, and the lead agency has to address all the comments (within categories) in its final EIR.

By having different environmental review requirements for projects based on their impacts on the environment, CEQA today considers how to right-size environmental review to a given project and not require excessive environmental review.

- 3) *What does CEQA add to PML?* CEQA provides information, requiring initial studies to understand the environment on which the project is located (e.g. is it a hazardous waste site? Are there protected species on the site?) CEQA also requires disclosure and public involvement through public comments for projects that have significant impacts on the environment. Finally, CEQA can require that projects take mitigation measures so that their impact on the environment is not significant.

PML does not require environmental analyses, but it does require public transparency on the city or counties decision to develop a pedestrian mall. In AB 1976, guardrails act to address the siting considerations and minimize (though not entirely mitigate) significant environmental impacts. AB 1976 builds off the work granting existing transportation projects CEQA exemptions, by including guardrails such as limiting the exemption to only apply to pedestrian malls in urbanized areas in existing rights of ways,

requiring that the projects do not demolish affordable housing, and requiring public hearings for projects that cost over \$50 million.

These guardrails ensure that CEQA exemptions are not granted to projects because those projects are intrinsically valuable (it is difficult to think of a project that is not intrinsically valuable to someone), but because the project's likely impact on the environment is constrained to a degree that is acceptable to the Legislature.

Related/Prior Legislation

SB 71 (Wiener, Chapter 742, Statutes of 2025) expanded the sunset for CEQA exemption for many transportation projects, including bike and pedestrian projects, and expanded the list of transportation projects eligible for a CEQA exemption.

SOURCE: Streets for All

SUPPORT:

AARP
Active San Gabriel Valley
California Yimby
Sacramento Area Bicycle Advocates
San Diego County Bicycle Coalition
South Pas Active Streets
Spur
Streets for All
Sustainable Claremont
Transform
Walk San Francisco

OPPOSITION:

County of Fresno

-- END --

was reviewed through an MND¹, and the remaining three

¹ <https://ceqanet.lci.ca.gov/2016022054>